

April 16, 1981

LB 252

not to kill this. This bill is too important to not debate it completely.

SPEAKER MARVEL: Senator Peterson.

SENATOR H. PETERSON: Mr. Chairman and members of the Legislature, it is not often on this floor that I will rise to oppose my good friend, Senator Goodrich, or my good friend, Senator Maurice Kremer, but I am really rather amazed at both of them to think that they would feel that this bill should be killed. I believe it is time for us to argue this issue. It is too vital and important an issue for us to leave it without talking about it in this session. The Director has made a decision on one bit of diversion. There has been an application for another one in the southwest area. There will be more. And it is absolutely vital for us to set some guidelines to determine on what basis the Director will make those decisions. Personally, I would hate to be the Director and try to make the decisions without some guidelines. I believe that Senator Beutler is to be congratulated for having brought the guidelines to us, and I would urge this body not to kill this bill this day.

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, I would oppose the kill motion at this time. As Senator Peterson and Senator Dworak, I come from an area that is rich in water and I would agree with Senator Beutler that the bill is perhaps a little bit more protective of the basin of origin than of the basin that would like to get the water. I think Senator Kremer has raised some excellent points. I think there are some unanswered questions on the bill. We discussed the guidelines that deal with the transfer of water from one basin to another. We have not yet established in the bill any guidelines for the use of water within the basin. I think the courts have told us that if we do not use that water within the basin of origin, that it will be transferred and that the people of the state have a right to it. The water belongs to all of the people of the state. I preferred it probably the other way when it looked like those of us in the basin that had water could keep it there. But I don't that is going to be a fact of life any more. I think we are going to have to face up to the fact that unless we have adopted guidelines that will guarantee the best utilization and development of the water in the basin, the water is going to leave. I would hope that some time before the bill, if it should become law, does become law that we would attempt to place some guidelines in the bill for the development